

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

YANCEY D. TAYLOR

CIVIL DIVISION

Plaintiff,

Docket No.: 6D - 18-009982

vs.

INDIGO PARTNERS, LLC., FRONTIER
GROUP HOLDINGS, INC., FRONTIER
AIRLINES HOLDINGS, INC., FRONTIER
AIRLINES, INC.,

COMPLAINT IN CIVIL ACTION

Defendants.

Filed on behalf of Plaintiff:

Yancey Taylor

Counsel of Record for this Party:

Kevin S. Burger, Esquire
PA I.D. # 60653
kburger@fridaylaw.com

Friday & Cox LLC
1405 McFarland Road
Pittsburgh, PA 15216
Tele # (412) 561-4290
Fax # (412) 561-4291

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

YANCEY D. TAYLOR

CIVIL DIVISION

Plaintiff,

Docket No.: *GD - 18 - 009982*

vs.

INDIGO PARTNERS, LLC., FRONTIER
GROUP HOLDINGS, INC., FRONTIER
AIRLINES HOLDINGS, INC.,
FRONTIER AIRLINES, INC.,

Defendants.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by an attorney and by filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICER CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service
Allegheny County Bar Association
Koppers Building, Suite 400
436 Seventh Avenue, Pittsburgh, PA 15219
412-261-0518

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

YANCEY D. TAYLOR

CIVIL DIVISION

Plaintiff,

Docket No.:

vs.

INDIGO PARTNERS, LLC., FRONTIER
GROUP HOLDINGS, INC., FRONTIER
AIRLINES HOLDINGS, INC.,
FRONTIER AIRLINES, INC.,

Defendants.

COMPLAINT IN CIVIL ACTION

Plaintiff Yancey Taylor by and through his attorney, Kevin S. Burger, Esquire and Friday & Cox LLC, complain and allege as follows:

1. Plaintiff Yancey Taylor is an adult individual residing at 446 Fifth Street, Donora, Washington County, Pennsylvania 15033.

2. Defendant Indigo Partners, LLC. is a Nevada limited liability corporation with a registered address and principal place of business at 2525 East Camelback Road, Suite 800, Phoenix, Arizona 85016-4219. Defendant owns controlling interest in the following subsidiaries: Frontier Group Holdings, Inc., Frontier Airlines Holdings, Inc., and Frontier Airlines, Inc.

3. Defendant Frontier Group Holdings, Inc. is a Delaware corporation with a registered address at 7001 Tower Road, Denver, Colorado 80249. Defendant offers air transportation through the following subsidiaries: Frontier Airlines Holdings, Inc. and Frontier Airlines, Inc.

4. Defendant Frontier Airlines Holdings, Inc. is a Delaware corporation with a registered address at 7001 Tower Road, Denver, Colorado 80249. Defendant offers air transportation as a subsidiary of Indigo Partners, LLC. and Frontier Group Holdings, Inc.

5. Defendant Frontier Airlines, Inc. is a Colorado corporation with a registered address at 7001 Tower Road, Denver, Colorado 80249, and registered to conduct business in the Commonwealth of Pennsylvania, and at all relevant times was regularly conducting business in Allegheny County, Pennsylvania through Pittsburgh International Airport located at 1000 Airport Boulevard, Pittsburgh, Allegheny County, Pennsylvania 15231. Defendant offers air transportation as a subsidiary of Indigo Partners, LLC. and Frontier Group Holdings, Inc.

6. All defendants shall be collectively referred to herein as "Frontier defendants".

7. At all relevant times, Frontier defendants employed, licensed and/or contract for the services of flight attendants who acted as agents, ostensible agents, employees, representatives, assignees, licensees, contractors, and/or subcontractors of the Frontier defendants, under the control and supervision of the Frontier defendants, acting in furtherance of the business purposes of the Frontier defendants.

8. At all relevant times, Frontier defendants acted through their agents, ostensible agents, employees, representatives, assignees, licensees, contractors and/or subcontractors in managing the flight, which plaintiff traveled, its staff and in administering services to passengers, including plaintiff.

9. At all relevant times, plaintiff was aboard Flight 1093, owned, operated and controlled by Frontier defendants, travelling from Pittsburgh, Pennsylvania to Las Vegas, Nevada; approximately a 6 hour flight.

10. On December 5, 2016 at or about 2 hours into the flight, plaintiff was seated in row D-9 and asleep.

11. Suddenly and without warning, a flight attendant violently slammed a drink cart into the plaintiff's right knee, startling him causing his head to violently hit the back of his seat.

12. As a direct and proximate result of the aforementioned incident, plaintiff sustained the following injuries, some or all of which are or may be permanent:

- a) Knee pain;
- b) Neck pain aggravated by a herniated disc;
- c) Aggravation of central spinal stenosis and spinal compression;
- d) Aggravation of an asymptomatic preexisting condition;
- e) Loss of balance;
- f) Limited neck mobility;
- g) Bruises and contusions in or about the nerves, muscles, bones, tendons, ligaments, tissues and vessels of the lower extremities; and
- h) Nervousness, emotional tension, anxiety, and depression.

13. As a direct and proximate result of the aforementioned incident, plaintiff suffered the following damages, some or all of which are or may be permanent or may be continuing:

- a) Great and continuing pain, suffering, inconvenience, embarrassment, mental anguish, and emotional and psychological trauma;
- b) He has been and may be required in the future have to face other surgeries;
- c) He has been, and may continue to be, required to expend large sums of money for medical treatment and care, medical supplies, rehabilitation and therapeutic treatment, medicines and other attendant services;
- d) Inability to enjoy various pleasures of life that he previously enjoyed; and
- e) Loss and impairment of general health, strength and vitality.

COUNT I

Negligence

Plaintiff v. Frontier Defendants

- 14. All preceding paragraphs are incorporated herein by reference.
- 15. At all relevant times, Frontier defendants owned the aircraft carrying plaintiff and is therefore liable for the plaintiff's injuries pursuant to 74 Pa. Con. Stat. Ann. § 5503(b).
- 16. At all relevant times, Frontier defendants owned, operated, controlled, possessed

and maintained the aircraft which plaintiff traveled in and owed plaintiff the highest degree of care.

17. At all relevant times, Frontier defendants held out to plaintiff, and the general public, that their staff were able to provide competent service to plaintiff and the general public.

18. At all relevant times, Frontier defendants owed duties and responsibilities to its passengers to provide competent service.

19. Plaintiff's injuries and damages were a direct and proximate result of Frontier defendants' negligence and carelessness, including the following particulars:

- a) In failing to create, adopt, or enforce procedures, rules and policies which would be adequate and ensure agents, ostensible agents, employees, assignees, licensees, representatives, contractors and subcontractors operate equipment, including beverage carts, safely;
- b) In failing to create, adopt, or enforce procedures, rules and policies which would be adequate and ensure agents, ostensible agents, employees, assignees, licensees, representatives, contractors and/or subcontractors operate wheeled equipment at a reasonable speed to ensure plaintiff's, and other passengers', safety, health and well-being;
- c) In failing to select and retain competent staff and failing to oversee all services provided within their business of providing air transportation inasmuch as they failed to properly review the performance of their staff who were permitted to provide service for defendants, resulting in a partly or wholly incompetent and inattentive staff;
- d) In failing to create and implement a training system which would adequately prepare and supervise staff, who were responsible for plaintiff's care;
- e) In failing to provide beverage carts with proper stopping mechanics;
- f) In failing to maintain the appropriate level of service as required by defendants as a common carrier;
- g) In failing to warn passengers, including plaintiff, of the dangers of beverage carts traveling the aisles when placed/seated in an aisle seat and that passengers, including plaintiff, should keep all extremities out of the aisle;

h) In failing to provide adequate passage and/or space on the aircraft for a beverage carts to travel through the aisles without striking plaintiff;

WHEREFORE, plaintiff demands judgment against defendant in an amount in excess of the jurisdictional limits of compulsory arbitration, together with court costs, interest and all other relief permitted by the Court.

A JURY TRIAL IS DEMANDED.

Dated: August 2, 2018

Respectfully submitted,

FRIDAY & COX LLC



Kevin S. Burger, Esquire

PA I.D. # 60653

Attorney for Plaintiff

1405 McFarland Rd.
Pittsburgh, PA 15216
Tele # (412) 561-4290
Fax # (412) 561-4291
kburger@fridaylaw.com

VERIFICATION

I, Kevin S. Burger, Esquire, counsel for the plaintiff verify the statements submitted in the foregoing Complaint in Civil Action are true and correct to the best of my knowledge, information and belief based upon the information received from plaintiff, and the documents/ records related to the matters raised in this action. This verification is filed in an effort to expedite litigation. A verification from the plaintiff can and will be supplied upon the request of any party to this action. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

FRIDAY & COX LLC



Kevin S. Burger, Esquire
PA I.D. # 60653
Attorney for Plaintiff

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Pittsburgh, PA 15216
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kburger@fridaylaw.com

Dated: August 2, 2018